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November 15, 2001

EX PARTE

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

Re: CC Docket No. 99-200
CC Docket No. 96-98
WT Docket No. 01-184

Dear Ms. Salas:

On November 14, 2001, Bill Shaughnessy and I, representing BellSouth, met with Diane Griffin Harmon, Cheryl Callahan, Sanford Williams, and Margaret Dailey of the Common Carrier and Jared Carlson, Patrick Forster, Joseph Levin, and Jennifer Salhus of the Wireless Telecommunications Bureau. The first purpose of our meeting was to discuss the policy issues related to Verizon's petition for forbearance from the requirement that wireless carriers implement local number portability by November 24, 2002. Mr. Shaughnessy and I restated BellSouth's support for Verizon's petition and reiterated the rationales for that support as set forth in BellSouth's Reply Comments in WT Docket No. 01-184 filed on October 22, 2001. At the conclusion of our discussion of the wireless LNP issues, the representatives of the Wireless Telecommunications Bureau departed.

During the remainder of the meeting, we focused upon pooling cost recovery, the pooling implementation schedule, and the Commission's criteria for access to growth codes. With respect to pooling cost recovery, we reiterated our support for a federal surcharge to recover pooling costs, and noted that we had already filed estimates of the magnitude of such a surcharge based upon the inception and duration of such a cost recovery mechanism. We noted that our estimates had been made upon the assumption that pooling implementation would be consistent with the Commission's statements at ¶¶ 158-159 of the *First Report and Order* in CC Docket No. 99-200 and would be restricted initially to those rate centers within an NPA that fell within the top 100 MSA boundaries. We urged that the Commission address cost recovery as soon

as possible, that it allow ILECs to recover all their pooling costs through a surcharge on the existing federal LNP end user line charge. We noted that there is state support for having the FCC address cost recovery for number pooling, including costs of state trials and added that, if it did not elect to have the latter set of costs recovered through a federal charge, the Commission should direct states to develop recovery mechanisms for these costs by a date certain.

We also discussed issues posed by the schedule for implementing thousand-block pooling appearing in the Commission's Public Notice released on October 17, 2001. In particular we observed that although ¶ 159 of the First Report and Order expressed the Commission's intent to "confine the rollout of pooling to three NPAs per NPAC region per quarter," the proposed schedule was significantly more ambitious and would significantly strain BellSouth staff and resources. We reiterated the points made in the Comments we filed on November 6, 2001 in response to the Public Notice and urged that, particularly at the outset of the pooling implementation effort, the Commission adhere to its previous commitment of limiting the rollout of pooling to three NPAs per region per quarter.

The last topic we discussed was the Commission's rule governing a carrier's access to growth codes. We repeated our request, presented in BellSouth's Petition for Reconsideration and Clarification filed in CC Docket No. 99-200 on March 12, 2001, that the Commission reconsider its existing rule, which conditions a carrier's ability to receive growth codes upon the carrier's demonstration that all of its numbering resources in a particular rate center will be exhausted within six months. We urged that the Commission modify this rule so that a carrier operating multiple switches within a single rate center could receive a growth code for use at a switch if (1) the carrier met the Commission's utilization threshold requirement in that rate center and (2) that switch met the six-months-to-exhaust criterion.

As required by Section 1.1206(b)(2) of the Commission's rules, I am filing two copies of this notice and ask that you place this notification in the record of the proceeding identified above. Thank you.

Sincerely,



Kathleen B. Levitz

cc: Diane Griffin Harmon
Cheryl Callahan
Sanford Williams
Margaret Dailey
Jared Carlson
Patrick Forster
Joseph Levin
Jennifer Salhus